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March 3, 2022

VIA ECF

The Honorable Robert W. Lehrburger
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: PDV USA, Inc. v. Interamerican Consulting Inc., No: 1:20-cv-03699-JGK-RWL

Dear Judge Lehrburger:

This firm represents plaintiff PDV USA, Inc. (“PDV USA”) in the above-referenced matter. We submit this letter motion on behalf of both parties to jointly request entry of a Proposed Revised Scheduling Order, enclosed herewith, pursuant to Rule I.F of Your Honor’s Individual Practices in Civil Cases. The Proposed Revised Scheduling Order would extend the current case schedule (ECF No. 58) by approximately three months. For ease of reference, the Proposed Revised Scheduling Order shows the current deadlines alongside the proposed revised deadlines. This is the second request to extend the schedule set by the case management plan, and both parties consent. The Court granted the first request.

To date, both parties have made significant progress in discovery. PDV USA has produced over 1,200 documents, and Interamerican has produced over 500 documents. Through written correspondence and meeting and conferring, the parties have resolved many of their disputes concerning document productions. PDV USA has obtained documents from a half dozen third parties, many of whom are out of state, and depositions have recently commenced.

The parties jointly request an additional schedule extension for the following reasons. First, following a recent meet and confer, both sides agreed to conduct additional document collection and review. This will require, by way of example, Interamerican to collect and review an additional email account from its client, and PDV USA to conduct additional custodial collections in order to expand the date range of its document review. Second, certain third parties have been evading service of process, and PDV USA needs additional time to serve these third parties, obtain and review documents from them, and depose them. Third, Interamerican recently served its amended interrogatory responses pursuant to Your Honor’s instruction that

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disclosed a number of additional third parties with relevant information. PDV USA needs additional time to obtain evidence from these newly identified individuals and entities, as well as from Interamerican's accountant, who was also recently identified by Interamerican. Finally, both sides agree that conducting party depositions would be more productive after substantial completion of document productions and after the completion of third party discovery.

The parties are available at the Court's convenience if Your Honor would like to discuss this request.

Respectfully submitted,

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cc: All counsel of record (by ECF)